

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOE HAND PROMOTIONS, INC.,

Plaintiff,

v.

RACHEAL MARIE FERGUSON, et al.,

Defendants.

Case No. 13-cv-03002-JST

ORDER REGARDING STAY OF THIS ACTION

Re: ECF No. 19

Plaintiff has brought this action against two Defendants: Racheal Marie Ferguson, individually and doing business as Full Throttle Tavern, and against Marcene Marie McDaniel, individually and doing business as Full Throttle Tavern. In light of the Notice of Bankruptcy filed by Defendant Ferguson, the Court stayed the case against all Defendants until October 9, 2014. ECF No. 17.

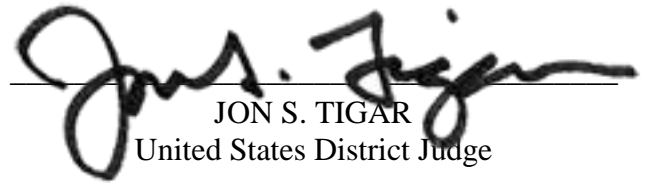
Plaintiff has now filed a notice indicating that Defendant McDaniel has also filed for bankruptcy. ECF No. 19. Plaintiff requests that the Court issue an order “staying the pending action as to defendant . . . McDaniel . . . only.” Id. The case is already stayed against both defendants until October 9, 2014. Since both defendants have filed notices of bankruptcy, a stay is now also automatically in effect pursuant to 11 U.S.C. § 362.

Independently of the operation of 11 U.S.C. § 362, the Court’s stay of this action is in effect against both defendants until October 9, 2014. If, at any time before October 9, 2014, the plaintiff becomes aware that *both* bankruptcy stays have been vacated, modified to allow this matter to proceed, or terminated by dismissal of *both* bankruptcy actions, plaintiff must immediately serve and file a notice that the stay is no longer in effect and request the setting of a Case Management Conference. Otherwise, the Plaintiff must file a case management statement

ten court days before the October 9, 2014 case management conference.

IT IS SO ORDERED.

Dated: December 2, 2013


JON S. TIGAR
United States District Judge

United States District Court
Northern District of California